

FILED

JUL 26 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WAYNE J. SCHWOOB,
Plaintiff,

No. C 05-3455 MHP (pr)

ORDER OF DISMISSAL

v.

RUTH ANN FLAMENT; et al.,
Defendants.

Local Rule 3-11 requires that attorneys and pro se litigants notify the court of any change of address and permits the dismissal of an action when mail directed to an attorney or pro se litigant is returned as not deliverable and the court does not receive within 60 days of the return of the mail a written communication from the attorney or pro se litigant indicating a current address. That is the case here: mail came back undelivered more than 60 days ago and the court has not received a written communication from plaintiff indicating a current address. Dismissal is now appropriate. This action is DISMISSED without prejudice because plaintiff failed to keep the court apprised of his current address. See N. D. Cal. Local Rule 3-11. In light of the dismissal of this action, all pending motions are dismissed as moot. (Docket # 12, # 15, and # 17.)

IT IS SO ORDERED.

Dated: July 25, 2006


Marilyn Hall Patel
United States District Judge